

### **Remarks/Arguments**

Claims 13 to 26 are pending. Original Claims 1 to 12 have been cancelled. New Claims 13 to 15 are drawn to the embodiment shown in Figure 4. Further embodiments are set out in new Claims 16 to 26.

The abstract has been supplied.

Proposed new Figures 9 to 11 show the Specification has been amended to describe new Figures 9 to 11.

The priority benefit paragraph has been inserted on page 1 of the specification.

The enclosed proposed drawing containing new Figure 9 shows the weakened zone 20 that is located in the border area of one of the side edges of the front side of packing unit 16b of the embodiment shown in Figure 4. New Figure 11 shows the weakened zone 20b that spans one of the side edges of packing unit 16 of the embodiment shown in Figure 4. Figure 10 shows the other side edge of packaging unit 16b of Figure 4 being notch 27. The Examiner is requested to review and enter new Figures 9 to 11. Applicants believe that no new matter is involved.

Applicants generically disclose the weakened zones being located (at least partly) anywhere around the circumference of the filling cavity (i.e., numeral 21b in Figure 4). The application states:

"According to the invention this is achieved by the film-like laminate material being multilayer and at least one material layer of the laminate has no weakened zones and at least one material layer of the laminate

has weakened zones and the weakened zones on the packing lie at least partly in the area of the filling cavity." [Emphasis Supplied] [Page 2, lines 8 to 13]

"The weakened zone can be located over the filling cavity of packing, or over the filling cavity and extend to within a sealed edge or side seam." [Emphasis Supplied] [Page 8, lines 2 to 5]

"...the weakened zones on the packing lie at least partly in the area of the filling cavity." [Emphasis Supplied] [Claim 1, lines 6 to 8]

See also page 2, lines 35 and 36, and Claim 7, lines 9 to 12.

Applicants disclose that a weakened zone can be located on the side edge and both of the area borders of the side edges. No new matter is involved.

The application states:

"In relation to the cross section of the packing unit the weakened zone suitably lie on one or both side edges." [Emphasis Supplied] [Page 10, lines 15 to 17]

"The weakened zones 20b lie on one of the side edges...." [Emphasis Supplied] [Page 13, lines 4 and 5]

Webster's Seventh New Collegiate Dictionary, (1963), states:

"on...1 a...(5): in the direction or area of..." [Page 589]

The application further states:

"The weakened zones 20 lie at the side edges...." [Emphasis Supplied] [Page 2, lines 1 and 2]

Webster's Seventh New Collegiate Dictionary, ibid., states:

“at...1- used as a function word to indicate presence or occurrence in, on or near” [Page 55]

The application states:

“...the weakened zones on the packing lie in a line...in the area of an edge border....” [Claim 2, lines 1 to 3]

“...the weakened zones on the package lie in the area of an edge border....” [Claim 3, lines 1 to 3]

“...the weakened zones are arranged in an area of a transverse edge border....” [Claim 4, lines 4 and 5]

Webster’s Seventh New Collegiate Dictionary, ibid., states:

“edge...2a: the line where an object or area begins or ends; *also*: the narrow adjacent part: border” [Page 263]

“border...1: an outer part or edge” [Page 97]

“area...4a: a particular extent of space or surface or one serving a special function” [Page 47]

Figure 2 and its written description shows weakened zones 20 that are located on the side edges and both of the areas/borders of the side edges. The application states:

“Parallel to a transverse seam 17 over the full width 21 are several weakened zones 20.” [Emphasis Supplied] [Page 11, lines 36 to 38]

The top view of Figure 2 has the lead line number 21 in contact with the back of packing unit 16. The cross-sectional view along line A—A of Figure 2 shows the lead line of numeral 21 on one of the sides of packing unit 16. The side has a flat

section so the weakened zone 20 extends beyond the edge (line) towards the front side of packaging unit 16. The cross-sectional view along line B—B of Figure 3 shows that each side has a flat section so that the weakened zone 20 extends beyond the edge (line) towards the front side of packaging unit 16. The cross-sectional view along line C—C of Figure 4 shows that each side has a flat section so that the single side weakened zone 20b extends beyond the edge (line) towards the front side of packaging unit 16b. This provides disclosure of the subject recitation in Claim 13.

Respectfully submitted,

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## **Appendix**

### **Abstract Of The Disclosur**

Packaging for receiving liquid, pasty, powdery, granular or solid material having tear-open means and sealed edges and made of a foil-shaped composite material. The foil-shaped composite material has multiple layers. At least one layer of the composite material does not have weakened areas. At least one layer of the composite material has weakened areas located in the packaging at least partly in the area of the filling space. The weakened areas are preferably a series of cuts or a plurality of parallel individual cuts.



